UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO **WESTERN DIVISION, CINCINNATI**

RYAN WHITE, Case No. C-1-02-109

Petitioner,

Judge Beckwith

Magistrate Judge Hogan ٧.

DEBORAH TIMMERMAN-

COOPER, Warden, ¹

Respondent.

MOTION FOR LEAVE TO FILE DOCUMENTS MANUALLY / CORRECT CAPTION

Pursuant to §§1(A)(3), II (A)(6), IV (A)(1), and IV (A)(5) of the Policies and Procedures for Electronic Filing in the Southern District of Ohio and Rule 5.1 of the Local Rules of the Southern District of Ohio, Respondent respectfully requests leave of the Court to file the following item manually:

1) Exhibit 18, Transcript of Trial, Volume I of I, to Respondent's Answer/ Return of Writ.

Respondent requests leave to file this item manually because the electronic file size of the document exceeds 2.0 megabytes as set forth on page 21, item 5 of the CM/ECF Attorneys Manual, July 14, 2003, for the Southern District of Ohio.

Respectfully submitted,

JIM PETRO (0022096) Attorney General

¹ The records of the Ohio Department of Rehabilitation and Correction indicate that Petitioner is now incarcerated at the London Correctional Institution, in London, Ohio, where Warden Timmerman-Cooper maintains custody of him. Respondent also moves the Court by this same motion to correct the caption of this case.

s/Thelma Thomas Price

THELMA THOMAS PRICE 0033976 **Assistant Attorney General Corrections Litigation Section** 150 East Gay Street, 16th Floor Columbus, Ohio 43215-6001 Phone: (614) 644-7233

Fax: (614) 728-9327

e-mail: tprice@ag.state.oh.us

TRIAL COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Respondent's Motion for Leave to File Exhibits Manually / Correct Caption was sent to Petitioner, Ryan White, #352-464, London Correctional Institution, P.O. Box 69, London, Ohio 43140, via first class U.S. mail, postage prepaid, on this 25th day of March 2004.

> s/Thelma Thomas Price THELMA THOMAS PRICE(0033976) **Assistant Attorney General**